Lived Experience Leadership Pathway Programme: "How To" Guide

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Introduction:

It is widely acknowledged that people with convictions face significant challenges when re-entering the workforce. Despite over 11 million people in the UK having a criminal record (Unlock, 2023), they often find themselves excluded entirely from certain roles, particularly in management and leadership. Discrimination, DBS checks and complicated application processes coupled with an exclusionary job market create a concrete ceiling which can be almost impossible to break through.

While some organisations, such as Timpson's, have taken steps to tackle these barriers, many organisations remain highly risk averse to employing people with convictions.

The NHS is one such organisation. Despite facing an acute labour shortage, the NHS is still reluctant to recruit people with convictions into many of their more than 350 different roles. Additionally, the NHS is a daunting environment for applicants attempting to enter the workforce. Application processes are highly complicated and laden with organisational jargon which can cause people with convictions to fail even before they have begun. For those that do manage to successfully navigate the application process and gain a job, they often find that they reach a certain point in their career development and are unable to move forward to management and leadership positions because there is a lack of clear routes or progression opportunities. The stigma attached to convictions and a lack of formal qualifications can also act as barriers here too.

While it is true that there are some positions which people with convictions are legally unable to hold in the NHS, there are still a plethora of roles which they can take on which presents the NHS with a significant opportunity to affect positive change, beneficial to both the organisation and people with convictions seeking to enter the NHS.

To that end, Breaking Barriers Innovations (BBI) have been commissioned by NHS England's Health and Justice team to develop a non-clinical, competency-based career pathway, designed to support career progression and personal development for people with lived experience of the criminal justice system.

Methodology

To create this pathway, it was vital to gain insight into a range of perspectives from both employees and employers. BBI collaborated with a total of 16 public and private sector organisations including a variety of NHS Trusts and from across the country in addition to employees with lived experience of the criminal justice system.

BBI also conducted focus groups with members of the Lived Experience Team from Revolving Doors and the Lived Experience Network from NHSE's Health and Justice Team. A cohort of people at the beginning of their journey to employment re-entry were recruited to give their views and experiences. In total, 16 people with lived experience of the criminal justice system were involved in the co-production of this pathway and a total of 17 one-to-one interviews with professional stakeholders were conducted. In addition, BBI analysed over 75 job postings from a variety of departments in NHS trusts from across the country.

Supported by this evidence and evidence gathered from a literature review conducted by BBI, a flexible pathway has been developed which incorporates key points of intervention for support, guidance and mitigation of barriers at an employee, employer and system level. To illustrate the pathway, BBI has created three case studies of how the pathway could be implemented across different sectors within the NHS and an example of best practice, where people with convictions have already been supported into management positions.

Lived Experience Leadership Pathways: An Overview

When working on the development of the lived experience leadership pathway, it became apparent that a single pathway would not be sufficient to successfully tackle the challenges present and address the needs of both employees and employers. Therefore, a layered, multi-pathway approach was created to ensure that that challenges were effectively mitigated, and support and guidance would be available at every step at an employee, employer and skills level.

The following section explains the three pathways developed for this project in the following order:

- A pathway supporting applicants
- A pathway guiding employers to make wider organisational changes to create recruitment processes and workplaces which are more inclusive and friendly to people with convictions
- A pathway focusing on the use of wider skills and competencies to create a route for long term career progression

Pathway One: Supporting applicants

Key Learnings:

- Support for applicants must begin before there is even a job to apply for e.g., training, shadowing and internships.
- Applicants often lack the confidence to apply for leadership positions.
- Legalities such as DBS checks are major barriers leading up to and throughout the application process.
- Tailored feedback and assurance at every stage of the application process is crucial in helping applicants grow and develop in the employment market.

Pathway One highlights the journey an employee may take to move from their current position to a leadership position and the actions which need to happen along the pathway to ensure there is sufficient support and barrier mitigation. This pathway is linear in nature and assumes that there is a leadership role for the employee at the end of the pathway. It is specifically designed for those who already have gained a position within an organisation where they have been working for some time and will already have obtained some skills and experiences during that time.

To break down this pathway, we can look at the four stages of the application process in more detail: pre-application, application, interview and job acceptance.



Pre-application:

The pre-application stage of the pathway is in many ways the most crucial aspect of the pathway as it can set up employees for success further down the pathway. This stage is also key as it will help to mitigate the barriers associated with initial applications. It will tackle the lack of confidence people with convictions may feel when applying for a leadership position which can prevent them from submitting an application in the first place.

| Торіс | Issue | Action |
|---------------------------------------|---|---|
| Training and skills development | People with convictions lack the necessary attributes and qualifications to progress into leadership and consequently do not feel confident in applying for leadership positions. | Employers should offer employees the opportunity to upskill through shadowing, internships, apprenticeships and coaching to allow them to develop the skills and confidence needed to progress into leadership positions. An example of this upskilling would be enrolling an employee in the NHS Leadership Academy's <u>Edward Jenner Programme</u> which is a suite of online short courses designed to build foundational leadership skills and develop confidence within their current role. The programme is free to enrol in if the person has a role, is on a work placement or volunteer in a health and care setting. It operates on a |
| | | rolling basis and is delivered online, allowing for a high degree of flexibility. |
| Training and skills development | Progression routes and opportunities for people with convictions are often unclear or confusing. | Employees require a clear learning and development plan which will map out opportunities for them to move forward in their careers e.g. what roles they can move into from their current role and what they need to do to get into that role. |
| | | The plan should contain clear expectations, goals and milestones around learning, development and support. It should be set forth and agreed by the employee and their line manager. These should be |

| | | developed at the start of employment if possible, and updated as part of appraisals, reviews or line manager check-ins. |
|------------------------|---|---|
| Access to resources | Lack of understanding around application processes within the NHS which can prevent people with convictions from ever applying in the first place. | Applying for a position in the NHS, even internally, can be complex and confusing, particularly for people with convictions who have less experience in the job market. To support understanding and boost confidence in applying, employers should signpost key resources which people with convictions may find useful. This could include links to information pages on lived experience agency websites such as Revolving Doors or Unlock. These resources can be signposted on employee portals or in employee handbooks. Examples of these resources can be found in the appendix of this document. |

Application:

Completing and submitting job applications is a time consuming and often stressful activity, particularly for people with convictions who may have less experience in completing them and are faced with the challenge of making premature declarations of convictions. They may also find the experience triggering¹ if they have received numerous rejections from other jobs with little feedback or encouragement. In order to mitigate these barriers, the following steps must be taken to ensure that people with convictions receive the correct support and guidance which will help them through the application stage.

| Торіс | Issue | Action |
|--------------------|---|---|
| Legal requirements | In the initial application stage, people with convictions often find themselves faced with a box asking about criminal history. Due to a lack of knowledge about how to disclose convictions here, people may over or under-disclose their convictions which in turn can cause their application to be withdrawn without full consideration of their circumstances. | about how to appropriately disclose convictions should be offered to candidates. There are a myriad of resources available online but this in itself can be overwhelming for candidates to search through, so a sample of relevant resources should be clearly signposted either in the candidate information pack alongside the person specification and job description, or available on the job posting itself. These resources can be links to other organisation's websites such as Revolving Doors. Examples of relevant resources can be found in |
| | | The second mitigation is to support Business in the Community's <u>Ban the Box campaign</u> which calls on employers to create fair opportunities for people with convictions by removing the criminal convictions tick box from application forms, and asking about offences later in the recruitment process. In doing this, candidates can be judged fairly for their skills, rather than immediately discarded |

¹ In this context, triggering means that emotional distress is caused as a result of memories associated with upsetting recruitment experiences from their past.

| | | from the applications pile. This also allows for candidates to discreetly discuss their convictions in a setting they are comfortable with further down the line. |
|------------------------|--|---|
| Specialist support | People with convictions may be unsure where they can receive support during the application process which can lead to stress, anxiety and withdrawal from the application process. | Employers must contract lived experience agencies, such as Revolving Doors, to act as a trusted, third-party organisation which can offer support to people with convictions during the application process which the employer organisation may be unable to provide. This support can be as simple as a candidate having a member of staff they can talk to, to give them more information about the employer and give them reassurance on their application. They may also be able to provide mentors who can offer extended support throughout the application process. |
| Feedback and assurance | People with convictions are often faced with multiple job rejections in succession with little in the way of feedback, guidance or constructive criticism which is demoralising and frustrating, particularly as they can feel they are being judged solely on disclosures they may have made. Even successful applicants may be offered sparse feedback which is unhelpful for future applications. | Employers should strive to offer constructive feedback for both successful and unsuccessful applicants which can help them in their future job searches. It is important that this feedback is tailored to the applicant and avoids overgeneralisations which can be viewed as generic and unhelpful. This feedback should be offered promptly and should also detail next steps relevant to the candidate's outcome. For example, how the induction process will work or other areas of opportunity where candidates may be able to apply. In offering this feedback, unsuccessful candidates may feel less disheartened and will understand where they can improve their application in the future. |

Interviews:

The interview stage can be the most difficult for people with convictions as they may be put on the spot and have to discuss their convictions. This may be deeply triggering and upsetting for them and negatively impact their performance at the interview.

| Торіс | Issue | Action |
|------------------------|--|---|
| Feedback and assurance | As with the application stage, people with convictions may receive little to no feedback following their interview whether they are successful or not. This can be frustrating as it prevents improvement in future interview performances and does not allow a candidate to gain a better understanding of their strengths and weaknesses. | Employers must ensure that constructive feedback is offered to candidates following their interview. The feedback should be clear and tailored to the candidate's performance. It should highlight the candidate's strengths and areas for potential improvement which will allow candidates to enhance their future interview performances. |
| Disclosing convictions | People with convictions can be put on the spot and asked to discuss their criminal history during their interview which can be off-putting and triggering meaning they cannot deliver their best performance during the interview. Candidates can also feel embarrassed when asked to disclose in this way and therefore may under or over disclose which can cause them to be eliminated from consideration. | This challenge can be mitigated using the following options. Firstly, when a candidate is offered the opportunity to interview for a position, they should let their interviewer know they have convictions they would like to discuss and detail the way in which they would like to discuss them. A candidate should be allowed to disclose their convictions in a way which makes them feel comfortable. This could be an informal discussion outside of the |

| | | interview in a safe space or they may prefer to discuss it during the interview. Once a setting for the disclosure has been agreed, the process of disclosure e.g., what details need to be provided, how any DBS checks will be handled, should be clearly explained to the candidate. Ensuring transparency between candidates and employers throughout the process is crucial in helping candidates feel calm and supported. |
|------------------------|---|---|
| Interview Preparations | People with convictions can find interviews very intimidating as they may have had little experience of them or have received many rejections in the past. | To make the interview process less intimidating and allow candidates to give their best performance, employers should consider the following adjustments. |
| | | Employers can send out some of the interview questions in advance of the interview to allow a candidate to prepare some responses which will allow candidates to give well thought out answers which reflect their skills and experiences. |
| | | Employers can let the candidate know who will sit on their interview panel so they are informed of how many people they will be speaking with which can make the interview less intimidating. |

Inductions and beyond:

Once an applicant has been offered a position and accepted, they enter the last phase of the pathway. A successful job induction coupled with ongoing personal and professional development is key as it can ensure job sustainability for the new employee and improve retention within the organisation.

| Торіс | Issue | Action |
|--------------------|---|--|
| Extended induction | Job inductions may last as little as one day and usually offer only a basic grounding in relevant policy and procedures. Often, a longer induction is better to ensure a new recruit is settled into a new role and to promote job sustainability. | The induction should be viewed as a two- way street for the recruit and the employer whereby the new employee can influence the programme and tailor it to their needs. The induction should last for a minimum of two weeks although this can vary depending on the preferences of the new recruit. |
| | | At the beginning of the induction, time should be included for the new employee to identify their needs with respect to a new role. These needs should then be addressed through the personalisation of the induction. Needs may include regular line manager check-ins or support with new employee forms and contracts. At the end of the induction, there should be an opportunity for the new employee to |

| | | feedback to the employer on how the induction went and if there are any areas for improvement in the future. |
|-----------------------------------|--|--|
| Mentoring | During an induction, new recruits may be offered a mentor to support their transition into the new role. However, this is often only for a short amount of time and can change throughout this time depending on their capacity. This is destabilising for people with convictions and cause additional stress and confusion. | If a new recruit is provided with a mentor during their induction process, it is crucial that the mentor has sufficient time and capacity to provide support for the full duration of the induction to ensure continuity. Mentors should be fully trained in advance and have previous mentoring experience so that they are able to adequately perform their role. |
| Wellbeing and development package | Training plans are usually created during an induction however they often do not reach far enough to cover future career progression and wellbeing steps. This can leave new recruits without a clear plan for their long-term career goals and without effective routes to manage their wellbeing. | Employers should take time during the induction to formulate a wrap-around pack for wellbeing and development. The plan should include a range of training and skills development opportunities e.g., available apprenticeships relevant to their role, and a defined career pathway towards further leadership roles. The pathway should highlight additional skills and learning opportunities which can help them progress along this pathway. Any goals or milestones set within this plan should be realistic, attainable and |

| | measurable and set in agreement with the new employee and their line manager. |
|--|--|
| | The package should offer wellbeing guidance including advice about social issues such as housing and debt, mental health support and access to related services such as for substance use. |
| | There should also be inclusion of a personal support plan to help identify and manage potential triggers that could be difficult for the new employee to cope with. |

Pathway Two: Managing organisational change

Key Learnings:

- Training and education within organisations is key to overcoming barriers such as stigma, judgement, bias and discrimination.
- Commitment at senior levels is one of the most effective ways to instigate a positive transition towards a more inclusive workplace.
- Employers should look to take a wider view of HR processes, recruitment processes and protected characteristics to support people with convictions in the workplace.
- Resources for additional support needs such as mental health issues or substance abuse should be offered in a discreet and compassionate manner.

Pathway Two focuses on what employers should be doing internally to create wider organisational change to create recruitment processes and workplaces which are more inclusive and friendly spaces for people with convictions. To break down this pathway, we can focus on four key areas where organisations should be instigating change.



Contracting Lived Experience Agencies:

| Торіс | Issue | Action |
|---------------------------------|--|--|
| Internal training and education | Discrimination, stigma and judgement are major barriers for people with lived experience within the workplace. Often these barriers stem from a lack of knowledge and understanding around working with people with convictions which must be addressed. Organisations are also often unaware of their legal responsibilities, knowing what they can and cannot ask a person with convictions at different stages of the recruitment process which can lead to mistakes. | Employers should look to contract and established a relationship with trusted lived experience agencies to provide education and training around this issue. Employers should work closely with these agencies, for example Unlock or Revolving Doors, to deliver training at all levels, from trainees to senior management. Training should also be delivered on the legal duties of an organisation during the recruitment process to make clear what responsibilities the organisation holds when employing a person with convictions which will ensure a candidate is asked to disclose correctly at an appropriate stage in the recruitment process. Training and education will promote a more positive work environment and as a result, produce teams who can work well together. This training should be ongoing as part of a wider cultural shift towards inclusivity within work environments. |

| Employers must identify how they source |
|--|
| their chosen lived experience agency and |
| how they will resource the contract. |

Adjustments and Understanding:

| Торіс | Issue | Action |
|-------------------------|---|---|
| Adjusting HR processes | Rigid HR structures and processes can often mean there is little room for manoeuvre when it comes to accommodating people with convictions. However, it can be necessary to make some adjustments in order to effectively support people with convictions through job application processes. | HR should take into account the personal circumstances of person with convictions during the recruitment process as there are often extenuating circumstances which may require the adjustment of standard procedures. For example, people with convictions are more likely to have a history of mental health issues, substance abuse and adverse childhood experiences. If they were to have a relapse into substance abuse or experience serious difficulties with their mental health, HR should consider seeking a programme of support and treatment instead of disciplinary action or termination of employment. Additionally, people with convictions are more likely to have some form of learning disability, therefore adjustments such as offering interview questions beforehand or a mentor during the application process may be suitable. |
| Organisational language | Organisations, such as the NHS, often use complex internal jargon which can confuse candidates and new employees | Employers should ensure that organisational language is clarified so that candidates and new employees have |

| | and make application processes more difficult. Additionally, organisations may use generic terminology such as "leadership skills" without clarifying what is meant by this within the context of the organisation. | a clear understanding of what is expected of them. This can be done through explanations on the job posting or by creating a jargon sheet relevant to the job. Employers should also make clear what is meant by terms such as "leadership skills" so that both the employer and candidate / new employee are clear in their understanding. |
|---------------------------------|---|--|
| Protected characteristics | People with convictions do not fall under the protections of the Equality Act 2010 despite facing significant stigma, judgement and discrimination in the workplace which can be detrimental to their work and their mental health amongst other things. | Employers should consider having a policy for civility and respect that goes beyond protected characteristics and includes the wider lived experiences such as substance use, homelessness and criminal justice. Employers can work with lived experience agencies to develop these policies which can help to tackle stigma, bias and discrimination. |
| Adjusting recruitment processes | Employers often advertise roles in spaces where people with convictions are unlikely to go to so they may miss out on opportunities to apply. There is also a reliance on digital processes during the recruitment and induction phase which can be unfriendly to people with convictions. | Employers should review their recruitment processes including where and how they advertise jobs to look for opportunities to make their recruitment processes more inclusive, for example, advertising roles in a wider range of spaces. |

| | | They should review their digital processes, particularly within inductions to look for areas of improvement, for example, instead of using multiple online training videos to explain procedures and responsibilities, have relevant team members deliver in-person masterclasses. |
|-----------------|---|---|
| Risk Assessment | Risk averse organisations, such as the NHS, can feel great anxiety about recruiting people with unspent convictions. They may also believe, incorrectly, that they cannot employ someone for legal reasons or insurance purposes. | Recruiting Managers should bear in mind that employing people on the basis of information provided in an application form and an interview, irrespective of whether they have a criminal record or not, is never risk free. Staff responsible for recruitment decisions need to identify what risks might be involved and what precautions need to be put in place in order to provide satisfactory safeguards. An objective assessment of applicant's skills, experience and conviction circumstances should be weighed against the risk assessment criteria for the job. Employers should take into account a number of factors before reaching a recruitment decision for people with convictions. If further guidance with the risk assessment is needed, they should confer with the relevant HR Manager or Senior |

| | Managers within the organisation without breaching confidentiality. |
|--|---|
| | |

Commitment at Senior Levels:

| Торіс | Issue | Action |
|--|--|---|
| Managing organisational and cultural transitions | Senior leadership is viewed as essential in creating and sustaining an inclusive work environment. This is often stated in policy and strategy but without any specific commitments concerning people with convictions. This may be inadvertent as some stakeholders reported not having considered people with convictions in the context of inclusion. But it can also be due to a culture of risk aversion and fear of negative public reaction which is why it is important to have clear strategic management and commitment to positive organisational change. | Organisational culture is set from the top and follows through in the messaging and ways that the organisation presents itself publicly. Showing leadership for the positive benefits of employing people with convictions can help to create a better and more inclusive organisational culture. Senior management can demonstrate their commitment to organisation change through applying to join the Lived <u>Experience Charter</u> . The charter seeks to breaks down barriers, challenges unconscious bias, and negative assumptions about the recruitment of people with convictions and creates systemic change across organisations. It is important that applying to the charter is more than a tokenistic tick-box exercise and that teachings within the charter are followed and successfully implemented from the top down. Charter applicants will receive in-depth training from Career Matters before going on to apply for the award. |

| Role of ICBs in the future | Responsibility for commissioning will pass onto ICBs as duties are devolved. | Duty for implementing the steps suggested in this guide will fall to ICBs as responsibility is devolved to a regional level. ICBs must ensure they are effectively applying the guidance to implement positive change. |
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Resources:

| Торіс | Issue | Action |
|-----------------------------|--|--|
| Supporting additional needs | As mentioned above, people with convictions are more likely to have a number of related health inequalities including mental health and substance use problems, learning difficulties and adverse childhood experiences. These needs can be stigmatised and lead to further judgement and discrimination. It is important therefore that these needs are supported effectively and discreetly. | In order to support these needs, both candidates and new employees should be directed towards resources which can help to manage them. Any additional support given should be discreet and completely confidential as people with convictions often fear that if they are seen receiving extra support, they will be judged and treated differently from their colleagues which can prevent them from asking for additional support in the first place. |
| | | Examples of this support can include counselling, wellbeing networks with other people with convictions or online resources. Further examples can be found in the appendix of this document |

Pathway Three: Skills and competencies

Key Learnings:

- People with convictions want to move beyond lived experience roles and into different areas where they can leave their lived experience behind.
- Routes into employment from lived experience roles are unclear and can be difficult to navigate for people with convictions.
- Skills and competencies can be just as important, if not more so than qualifications and should be taken into account by employers when setting job entry requirements.

Pathway Three takes a different approach. It offers a system-wide view rather than the A to B approach given by that of Pathways One and Two. Pathway Three is designed to allow for wider movement through a career pathway and places an emphasis on upskilling and training to allow people to branch out into different sectors.

People with convictions can often be pigeonholed into niche areas of employment where they are encouraged to use their lived experience of the criminal justice system within their role. However, many want to leave the label of "lived experience" behind and simply become like other employees. This pathway seeks to give people this opportunity, offering them the chance to take on apprenticeships and training to allow them to move into different health and justice roles and into different sectors.

BBI has analysed over 75 job descriptions from different sectors across NHS trusts from around the country and taken into account existing literature and research to develop this skills-based pathway. The 75 job descriptions included roles in Administration and Business, Estates and Facilities, Liaison and Diversion services and Drug and Alcohol services to name a few. Each stage of the pathway highlights the key skills and competencies a person must achieve in order to gain employment at that level in accordance with NHS banding. It is important to note that the pathway below shows general skills and competencies and is not specific to one role or sector. The section in this guide provides case studies that offer specific examples within different sectors.



People with convictions are often early school leavers and have little in the way of formal qualifications which can lock them out of many jobs, even at an entry level. This pathway seeks to help people understand what they need to achieve in order to progress through their career journey, from a volunteer level through to a senior leadership position and to highlight what training should be offered from employers.

Examples of Best Practice: Lived Experience Roles in Services

Key Learnings:

- Some areas of the NHS such as Liaison and Diversion, RECONNECT and Prison In-Reach have made positive steps towards supporting the career progression of people with convictions.
- Implementing wrap around support and guidance and every stage is crucial in helping people into leadership roles.
- Establishing and fostering a culture of inclusivity has been one of most successful ways in which services such as L&D have been able to break down barriers for people with convictions.

While many areas of the NHS are still reluctant to hire people with convictions, some Trusts and other bodies have begun to display significant improvements and have implemented good working practices for hiring people with convictions. These examples are important to note as they demonstrate real and tangible change which has allowed people with convictions to gain leadership positions.

Examples of areas where great improvement has been shown can be found in Liaison and Diversion services (L&D), RECONNECT and Prison In-Reach services. Within these areas, a number of peer support roles have been developed. These roles, which are often commenced as volunteers, can provide a useful entry point to employment provided there is a pathway to progression and that there is support for personal growth and development.

Within L&D Services in NHS Trusts, many people with convictions have taken on a peer support role, having previously been volunteers. As volunteers, they are given a bespoke training package and offered opportunities to undertake volunteer responsibilities, internships and work placements over an 18-month period to build on their skills and support future career progression. Volunteers can then progress peer support worker and lead peer support worker positions which are time-limited to two years. During this time, they are fully supported by their line manager and offered the opportunity to take part in additional training and skills development.

Following time in peer support worker positions, employees may be able to move further up the career ladder in senior management roles such as Lived Experience and Service Users Engagement Lead or Peer Support Work Coordinator.

People with convictions have been able to successfully progress in these positions because L&D services have implemented key points of guidance and mitigation, similar to that mentioned in the pathways.

Pre-job preparations, such as working with lived experience networks, are undertaken so that relevant support is available and reasonable adjustments have been considered and implemented. Further steps such as line manager continuity are taken into account to ensure smooth and sustainable induction processes and continual training and development opportunities are flagged to help employees gain the necessary qualifications needed for career progression. Employees can be enrolled in courses within the NHS Leadership academy which also gives them the tools needed to progress into higher leadership positions.

Within services such as L&D, RECONNECT and Prison In-Reach, there is a wellestablished culture of inclusivity and acceptance around people with convictions which has been cultivated over time so they are far less likely to face stigma and discrimination within their role. Additionally, there are examples of senior management having taken steps to support this inclusive organisational culture and ethos and cement their commitment through applying for Lived Experience Charter status.

Through implementing support and guidance, the aforementioned services have been able to support people with convictions into management and leadership roles while mitigating barriers they would face in traditional roles.

Case Studies:

During the research for this pathway, it was consistently highlighted that people with convictions want to eventually move away from lived experience peer support roles and into wider areas where their skills and competencies are recognised in their role rather than their lived experience. However, finding clear routes into roles outside of health and justice services can be complicated and confusing for people with convictions as they are less likely to have procedures in place to effectively guide and support them. Without these clear progression routes and effective support, people with convictions can be trapped in peer support roles, unable to undertake meaningful professional and personal development which encourages job sustainability and retention.

The following section highlights two sectors whereby the aforementioned pathways could be implemented in order to support the career progression of people with convictions into non-health and justice roles within the NHS. Routes through Administration, Business, Estates and Facilities have been used as case studies as they are non-clinical roles with minimal patient contact.

These case studies were selected as they both offer a wide range of roles and apprenticeships with multiple routes for progression. People are often unaware of the breadth of different roles within these sectors therefore it was vital to highlight the multitude of opportunities available for people with convictions to move out of typical roles in peer support work and progress elsewhere. There are similarities between the case studies however it is important to note the differences in skills and competences needed, apprenticeships available and the roles themselves.

Case Study One: Administration and Business

Administration plays a crucial role in ensuring the smooth running of the NHS. There are a plethora of administration and business roles within the NHS including general administration and business roles and department-specific roles, for example in drug and alcohol services or in community care services. The variety of roles and departments makes Administration and Business and excellent case study for how a leadership pathway could be implemented.

This case study focuses on roles available from band two through to band seven and the associated mitigations, support and guidance needed to help people with convictions progress through the pathway.

In this example, Pathways One and Two remain unchanged from the explanations above. Employees and employers would follow the same steps as outlined above from job A to job B. In the context of administration, this could be from Administration Assistant to Team Leader or from Team Leader to Administration Manager.



However, Pathway Three is different as it has been adjusted to reflect a potential career pathway within Administration and Business. The roles detailed below come from the NHS jobs website and are taken from several NHS Trusts across the country.

This career pathway demonstrates several routes a candidate could take to reach leadership positions with Administration and Business. This is important as it highlights the breadth of roles available and allows a candidate a wider view of the options open to them. Within this career pathway, there is a great deal of room for manoeuvre as candidates can cross from the Administration-focused route into the Business-focused route due to the range of shared transferrable skills and qualifications.



The skills-based pathway below highlights the competencies and qualifications a candidate must achieve in order to progress to the next stage of the career pathway detailed above. The skills and competencies shown are taken from job descriptions and person specifications detailed on the postings and from career guides on the NHS Health Careers Website. This is by no means an exhaustive list of the skills and qualifications needed for each stage are by no means exhaustive and can vary between trusts.



To progress along the skills-based pathway and climb the career ladder, qualifications such as NVQ Levels and professional certifications need to be attained. This can be done through apprenticeship opportunities or training programmes which should be highlighted to support career development.

The NHS Leadership Academy, as well as the Institute for Leadership and Management, and the Institute for Apprenticeships and Technical Education offer a range of apprenticeships and training courses which would be suitable in this instance. As previously stated, many people with convictions are early school leavers with little in the way of qualifications so in order to progress, they must be given the opportunity to gain them.

For example, if an employee needs Level 2 English and Maths to progress along their career pathway or into an apprenticeship, they can undertake these courses on a parttime basis to gain the qualifications. Most courses usually run for 8 - 12 weeks and can be undertaken in the evenings, at weekends or during the day. If an employee needs to complete these courses during the day due to other commitments at weekends or in the evenings such as childcare, then this should be agreed with their line manager, and they should be given study leave to attend the courses.

It is important to emphasise here that while some qualifications may be essential in order to progress in career development, employers should also understand that competencies can be equally as important and useful as qualifications, if not more so in some circumstances. Employers who are recruiting people with convictions should consider greater flexibility in how entry requirements are set and utilise wider competency frameworks to assess the suitability of a candidate for the role.

The apprenticeship pathway below details possible routes a candidate could take in order to achieve the qualifications needed for progression along the Administration and Business pathway. Candidates must achieve both qualifications in Administration and Business as well as in Leadership and Management in order to give them the best possible chance of moving into leadership positions. These apprenticeships are also recommended by Skills for Health as options for career progression within Administration and Business.



Through utilising these pathways in conjunction with the additional pathways detailed at the beginning of this case study, people with convictions could be effectively guided and supported into leadership positions within the Administration and Business sectors of the NHS.

Case Study Two: Estates and Facilities

The second case study details possible career progression pathways within Estates and Facilities roles within the NHS. Similarly, to Administration and Business, there are a considerable number of roles available with numerous routes for career progression. As of 2022, there were approximately 100,000 Estates and Facilities workers across England, representing 8% of the NHS workforce (NHSE, 2022). Estates and Facilities are fundamental to the successful operation of the NHS, providing services from plumbing to project management, and thus make for a useful case study.

This case study focuses on roles available from band two through to band seven and the associated mitigations, support and guidance needed to help people with convictions progress through the pathway.

Again, much like the Administration and Business case study, Pathway One and Two remain unchanged. The points of support and guidance detailed for applicants and employers are crucial and should be followed through whether an applicant is progressing from Estates Assistant to Estates Support Officer or from Facilities Team Leader to Deputy Estates and Facilities Manager. These steps are vital in ensuring a smooth and supportive application process and a sustainable job outcome for the successful candidate.



However, Pathway Three has been adjusted to reflect a potential leadership career pathway within Estates and Facilities. The roles detailed in the below pathway appear on the NHS jobs website and are taken from several NHS Trusts across the country. As with the Administration and Business pathway, the below route highlights the breath of roles available within Estates and Facilities and offers candidates a more comprehensive view of their possible career options.



To progress along the above pathway, candidates must achieve the skills and qualifications needed below. These skills and qualifications are directly lifted from job descriptions and person specifications listed on the NHS jobs website as well as from career guidance on the NHS health careers website. Foundation Level 1 competencies are skills which candidates should have developed during volunteer roles and are applicable to the majority of entry level positions and apprenticeships which will allow candidates to begin their journey along their chosen pathway.

The skills and qualifications listed below are by no means an exhaustive list and can vary between trusts. Some of the items listed are also specific to a certain role e.g., Administrative Experience in Intermediate Level 2 skills are specific to the Estates / Facilities Administration route.


The above pathway encompasses a significant number of professional qualifications, for example, from NVQ Level 2 through to Level 5. There are also optional additional qualifications not listed which can help candidates achieve the required leadership and management experience.

The below pathway details potential routes for gaining these qualifications and experiences allowing for candidates to progress along the Estates and Facilities pathway into management roles. It is important to note that there are numerous apprenticeship routes within Estates and Facilities given the size of the sector and the pathway below is just a sample. There are also specialised apprenticeship routes in trades such as Gardening, Plumbing and Carpentry which candidates may wish to take up if they have an interest in a specific area.



In 2022 NHSE in conjunction with HEE announced a new NHS Estates and Facilities Apprenticeship Challenge. To support the greater use of apprenticeships in estates and facilities, the challenge was for NHS employers and wholly owned subsidiaries to create 1,000 new apprenticeships starts in 2022/23.

This formed a key part of the NHS People Plan, which encouraged an increasing number of people into Estates and Facilities careers and expanded routes for professional development and training within the existing workforce. The apprenticeships offered should upskill existing staff and support new apprentices in joining the workforce, using funding available through the Apprenticeship Levy. To support this work, NHS and HEE created an <u>apprenticeships toolkit</u> for Estates and Facilities to offer a comprehensive overview of the apprenticeships available.

Employers could utilise this toolkit in conjunction with the above pathways to offer as wide a range as possible of career development options for new recruits. Employees would greatly benefit from this as it would allow them to achieve the qualifications, they need to successfully progress their career and offer them an opportunity to diversify into new and interesting areas while being effectively supported throughout the process.

Concluding Remarks

In following the advice set forth in this document, organisations should be able to successfully implement the suggested leadership pathways to support people with convictions from entry level to senior management roles, while also instigating a wider cultural transition towards better workplace inclusivity.

It is important that we begin to break down barriers to reach this vital talent pool and support them on their journey through employment, whether that be in peer support roles in Health and Justice, or further beyond, extending to the rest of the NHS and further afield.

What this document has shown is that, ultimately, the employment of people with convictions and their progression to leadership roles can be successful when more meaningful thought and tangible actions are put into their recruitment systems. People with convictions are valuable assets to the workforce and should therefore be treated as such throughout the recruitment process and beyond.

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Appendix A: Resources for Employers and Applicants

Understanding the Application Process – For Applicants

- 1. Understanding Job Applications Nacro
- 2. Applying for Jobs and Volunteering as a Person with Convictions Nacro

Understanding DBS Check – For Applicants:

- 1. <u>Understanding Your Criminal Record and DBS Checks Nacro</u>
- 2. Understanding the Basics of Criminal Records Unlock
- 3. <u>Understanding Different Types of DBS Checks Unlock</u>
- 4. Getting a Copy of Your DBS Record Unlock
- 5. <u>Disclosure Calculator Finding Out When Your Criminal Record Becomes</u> <u>'Spent' - Unlock</u>
- 6. How to Disclose Appropriately and Talk About Your Convictions Nacro
- 7. <u>Can't Find the Answer to Your Question? Speak with the Unlock Helpline -</u> <u>Unlock</u>

Examples of Best Practice and How Can You Implement It – For Employers

- 1. The Principles of Fair Chance Recruitment Recruit
- 2. Why Improve Recruitment Practice for People with Convictions? Unlock
- 3. Examples of Good and Bad Recruitment Practices Recruit
- 4. <u>An Employers Guide to Ban the Box Business in the Community</u>

Understanding the Recruitment of People with Convictions – For Employers

- 1. <u>Hiring People with Convictions: The Basics Nacro</u>
- 2. Carrying Out Risk Assessments Nacro
- 3. Discussing Criminal Records with Applicants Nacro
- 4. <u>Requesting DBS Checks as an Employer Nacro</u>
- 5. Understanding Spent Convictions Nacro
- 6. <u>Practical Guidance for Employing People with Conviction Including Developing</u> <u>Policy and Understanding Legislation - Recruit</u>

Resources for Supporting Additional Needs – For Employers and Applicants:

- 1. Alcohol Addiction Recovery Support NHS
- 2. Drug Addiction Recovery Support NHS
- 3. <u>Getting Help and Staying Clean UK Narcotics Anonymous</u>
- 4. Drug and Alcohol Addiction Support Mind
- 5. <u>Support Community for People with Convictions Unlock</u>
- 6. Improving Your Mental Health Unlock

Training and Educational Courses – For Employers:

- 1. Internal Training Opportunities for Employers Nacro
- 2. Training and Workshop Opportunities for Employers Unlock
- 3. Training and Workshop Opportunities For Employers Clinks
- 4. Partner With Us Revolving Doors
- 5. Training and Recruitment Support for Employers Forward Trust

Appendix B: BBI Literature Review 2022 / 2023

1. Definition of Live Experience Leadership

Lived Experience Leadership (LEL) is a broad term that can be used to describe people who use their lived experience to change, shape or create something to benefit others. People with lived experience can lead on a range of projects, initiatives and organisations, and a range of terms reflects the diversity of LEL, including Expert By Experience, LE Practitioner, LE Guide, LE Ambassador, Disruptive Innovator, Facilitator, Advocate, Activist, Campaigner, Change Maker, Patient Leader and Pioneer (Waddingham, 2021).

It is important to take into account LEL from marginalised groups and how to provide support those for whom the path may be more difficult or even blocked. This can include people who are marginalised on the basis of class, gender, racialisation, homophobia, transphobia and other forms of prejudice and discrimination. It also includes those who may be digitally excluded and those within long-term inpatient settings and/or within the criminal justice system (Waddingham, 2021).

2. Positives and benefits of Live Experience Leadership

Lived Experience Leadership can be validating and encourage a sense of hope (Waddingham, 2021). Lived experience leaders within the criminal justice system can use their knowledge to inspire, motivate and support their peers. Research showed that two thirds of criminal justice voluntary sector organisations regularly consulted service users in the design and delivery of programs, more than half utilised service users as volunteers, and nearly one in three employed service users as staff (Clinks, 2019).

People with lived experience can provide enormous benefits to organisations working in the criminal justice sector. People who have spent time in prison or been the victim of a crime have a unique insight into what works and what does not in the criminal justice system. People with lived experience often make resilient, highly motivated, empathetic and knowledgeable employees, managers and leaders who can effectively engage service users, make credible links with the communities their organisations are serving, and provide fresh thinking, ideas and solutions. However, their involvement in designing, delivering and managing services, as well as influencing policy and practice tends to be undervalued and underused (Criminal Justice Alliance, 2019).

Research carried out within the criminal justice system on the use of peer re-entry specialists on housing attainment, mental health and substance use problems, and increased life domain functioning found that peers' lived experiences were effective in building rapport with clients. Peers were able to apply their lived experiences to assist clients in seeking treatment for substance use and mental health conditions, and to help them locate housing and employment (Reingle Gonzalez, et al. 2019).

Research found that people with lived experience in the criminal justice system often described their experiences in positive terms. Formal or informal lived experience networks fostered a sense of belonging and provided personal support and development. People with lived experience also talked about saving people from traumatic contexts and easing distressing emotions. There was a sense that working in the criminal justice voluntary sector enabled those with lived experience to rescue (ex)service users from dangerous pasts and presents blighted by anxiety and isolation. In addition, people with live experience were able to raise the awareness of leaders and managers without lived experience, in order to reduce stigma and develop supportive networks (Buck, 2021).

3. Issues and challenges for Live Experience Leadership

People with lived experience can face a range of structural, systemic and cultural barriers to employment in the criminal justice system, many of them unique to this sector. These range from practical barriers such as complex vetting procedures, to workplace cultures and environments that do not effectively support them to achieve their full potential as key influencers and decision-makers (Criminal Justice Alliance, 2019).

This was recently demonstrated by a freedom of information request which showed that in the pass year (period until 30 June 2022), the Charity Commission had only granted one waiver to a person with a criminal conviction wishing to hold a senior role at a charity. Under the Commission's rules, people with unspent convictions for specific offences must apply for a waiver from the regulator or face disqualification from being a trustee or holding certain senior roles within a charity. However, the Commission received just two applications for a waiver, granting one and declining the other. In the previous 12-month period, the Commission received five applications for a waiver, granting two and declining two, while the other applicant withdrew. Concerns have been raised by Unlock, a charity which helps people with criminal records. Unlock stated that the current waiver system puts people with criminal convictions off from applying in the first place as the application process is:

"...unwieldy, complicated and the decision-making process is not transparent. It's a system set up under the guise of protecting charities and the public, but one that fails to take into account the value of lived experience. The waiver process makes people who have already been held to account for their past feel judged and labelled yet again. And as a result, it puts people off from applying or taking up senior roles in charities – both as employees and trustees." (Angela Cairns, Chief Executive, Unlock)²

Research carried out within the criminal justice system on the use of peer re-entry specialists also found that several structural barriers prevented peers from addressing client needs. Peers time was routinely consumed by assisting clients in seeking identification, requisite for treatment or use of healthcare services, housing

² <u>https://www.civilsociety.co.uk/news/only-one-charity-leader-with-a-criminal-conviction-granted-waiver-in-past-year.html</u>

or securing employment. Findings suggested peers were working to address many client needs. (Reingle Gonzalez, et al. 2019).

It is also important to be aware that having lived experience does not mean a person has the skills or experiences necessary to lead on a particular project. Questions need to be asked around the limits of Lived Experience Leadership roles, including the position of 'followers' and who it is that any particular leader is leading, representing and/or speaking for (Waddingham, 2021; Buck, 2021).

Specific challenges for people with lived experience can include the following:

- Unrealistic/impossible expectations expectation for a person with lived experience to be an exemplar, to be 'out', to be 'recovered' and to choose a side.
- Gulf between lived experience and voluntary sector colleagues, and failure to progress people with lived experience feeling stuck in lower-level voluntary sector roles and/or feeling discredited and subjected to forms of exclusion within organisations.
- Serving someone else's agenda people may feel used, misused and exploited. It can include the conditional nature of a person's position at the table, and how this can absorb and sanitise the voices of people with lived experience.
- Not being valued lack of value in a person's knowledge base and being chronically underfunded/paid.
- **Isolation and burnout** people with lived experience not being provided with appropriate support and/or working at their own expense.

Specifically in terms of the criminal justice system, while research has highlighted the benefits to both peer mentors/leaders and the people they support, there are concerns about bullying and the exploitation of lived experience workers. There are also risks of re-traumatisation and of the stigma that can apply to people who are identified as a 'user' participant or 'peer' practitioner in the criminal justice context. Whilst user involvement and peer-led practice may enable people within the criminal justice system to belong and find purpose, it can also feel restricting and create unease as people may be drawn in two directions at once i.e. being 'street authentic enough' to represent, yet 'professional enough' to stay employed (Buck, 2021).

4. Barriers to recruitment of people with lived experience

A roundtable event was held in December 2020, as part of the Inclusive Workforce Programme, with the aim of identifying and discussing challenges, barriers and enablers in the recruitment of people with lived experience into health and justice roles. The event ascertained that one of the main barriers to recruiting people with lived experience was the background security checks and vetting processes for the individuals applying for these roles. As a result, the Inclusive Workforce Programme worked closely with the National DBS Team and the HMPPS Central Security and Vetting Team to develop a set of FAQs to demystify the checks and processes (Future.nhs.uk. 2022).

The Behavioural Science Unit worked with Health and Justice Departments to carry out a literature review and interviews to determine the barriers in recruiting people with lived experience and the barriers to progressing to leadership roles once in an organisation (Future.nhs.uk. 2022). They found that candidates with lived experience face barriers in:

- Criminal record checks and national security vetting
- Difficulty understanding aspects of the job application process e.g. jargon used in job descriptions
- Financial barriers to applying
- Job advertisements failing to reach people with lived experience
- Poor communication around what opportunities are available within health and justice services

People with lived experience also faced barriers when progressing to leadership roles, including:

- Stigma surrounding people with lived experience
- Lack of support during the recruitment process
- Specific triggers in the workplace/challenges coping with past traumas related to poor mental and physical health

5. Supportive frameworks for Live Experience Leadership

In order to tackle these complex and systemic issues effectively, and to highlight the value of employing people with convictions, there is an urgent need to better understand and develop supportive pathways into employment and provide routes for progression for people with lived experience in the criminal justice sector. Policy makers, senior leaders, funders and commissioners, across public, private and voluntary sectors need to support the employment of people with lived experience. This may include making a culture change and a shift in decision-making power. Without this shift, involving people with lived experience in consultation and volunteering may become tokenistic (Criminal Justice Alliance, 2019).

The following includes suggestions for the basis of a supportive framework (Waddingham, 2021, Sandhu, 2017):

- **Highlighting the value of LEL** ensuring LEL is embedded throughout all levels and parts of the organisation and not kept in silos or restricted to specific lived experience-led teams.
- Access to genuine and meaningful opportunities moving beyond tokenism towards opportunities that have an impact. Access to flexible and accessible funding for projects and organisations.
- **Ownership** difference between being involved and leading initiatives. Bringing in people with lived experience from the start of initiatives/programmes and ensuring that they have key decision-making powers in governance structures. Also ensuring that people can choose not to engage in lived experience work and LEL roles, and having routes out.
- Having space and setting limits allowing people to find their own leadership style, setting limits and protecting themselves by balancing addressing the bigger picture with a focus on smaller changes.

- Supporting organisations to develop structures, career progression routes and commissioning processes that support LEL – commitment to tackling the systemic barriers, social stigmas and wider inequalities faced by people with lived experience and support for lived experience specific-leadership training, mentoring, networking and support. An example of a lived experience leadership programme is the Criminal Justice Alliance's ELEVATE CJS (Elevating Lived Experience Voices Advocacy Training and Expertise in the Criminal Justice System).³ This programme, launched in January 2022, aims to help emerging lived experience leaders progress into rewarding careers where they can influence change in the criminal justice system or other social justice areas. The programme also works with government and public sector employers to remove barriers and develop progression routes into senior positions for lived experience leaders.
- **Creating equitable opportunities** establishing better transparency and accountability structures, and recruitment practices in order to benefit from the work of people with lived experience, including paid roles and leadership roles.
- **Investing in LEL** providing better funding and investment for change initiatives led by people with lived experience.
- Increase access and enhance learning around good practices e.g. supporting lived experience-led initiatives to develop guides and toolkits to share knowledge and provide inspiration, access to previously published information created by people with lived experience. Research highlighted the potential usefulness of lived experience research resources, presented in user-friendly formats, particularly in the lives of people who experience mental health issues. Such resources encouraged helpful activities, provided a positive experience, increased valued knowledge, encouraged people to reflect on their journey and think constructively about mental health issues, helped people to feel less alone, and assisted people to explain their situation to others (Honey, et al. 2020).

6. Supportive frameworks for Live Experience Leadership within the Criminal Justice System

In 2021, the Ministry of Justice hosted an online summit on recruiting prison leavers. The summit identified that the key to success when recruiting prison leavers is to treat them the same as other employees, ensuring that they feel part of a team. It was also noted that it is important to offer prison leavers continuity in their job,

³ ELEVATE CJS programme was informed by 2 years of peer research and co-designed with members of CJA Lived Experience Expert group. Programme is open to Londoners who have lived experience of the CJS, are working in the criminal justice or social justice sectors, and who want to progress in their careers to influence systemic change in more senior level roles. Wide definition of lived experience - participants may have been over-policed, have convictions, have served a prison or community sentence, have been a victim of prison and/or have family members in prison. Participants will have access to clinical supervision throughout the programme to support their wellbeing. https://www.criminaljusticealliance.org/blog/cja-launches-lived-experience-leadership-programme/

consider them equally for promotions, and advise them of the services on offer to support their transition from prison to employment (Youtube.com. 2021)

NHS England's (NHSE) Inclusive Workforce Programme is a series of events to promote findings and resources from the programme, with the aim of supporting health and justice commissioners, providers and other interested stakeholders to help address workforce issues. The Programme seeks to make a substantial difference to healthcare staff, patients and service users through improving the recruitment and retention of a larger, more inclusive and diverse workforce. In doing so, the hope is that health and justice services can ensure that people continue to receive the right care and support (Future.nhs.uk. 2022). The programme is split into five workstreams:

- Programme preparedness, including ensuring equality
- Raising the profile of Health & Justice careers
- Facilitating the recruitment of people with lived experience
- Commissioning to enable workforce development
- Programme communications and engagement activity

As part of the Programme, NHSE commissioned Career Matters to develop the Lived Experience Charter, which was co-designed with people lived experience of the criminal justice system. The Lived Experience Charter is an award that demonstrates that organisations have quality standards, good practices and a commitment to improving the inclusive recruitment and retention of people with lived experience of the criminal justice system (Future.nhs.uk. 2022). The key values of the charter include:

- Open and inclusive recruitment of people with lived experience
- Raising awareness of the benefits of employing people with lived experience
- Offering clear progression pathways to leadership roles
- Ensuring workplace environments are free from discriminatory practices, unconscious bias or prejudice

The hope for the Charter is that it will become embedded as standard practice and will be the catalyst for significant culture change across organisations within the NHS. It has been piloted in five health and justice sites and one care experienced site:

- Mersey Care NHS Trust RECONNECT service Merseyside
- HMP Lancaster Farms (Spectrum) North-East
- Staffordshire Liaison and Diversion
- HMP Winchester (Practice Plus Group) South-East
- Feltham YOI CNWL Children and Young Person Secure Estate London
- Barking, Havering, Redbridge University Hospital Trust Care Experienced Version Greater London

The Charter is now in phase two and is being run in 18 further sites during 2022/23.

In terms of useful guidance, the Open and Inclusive Recruitment Guidance was codeveloped by the Northeast Commissioning Service (NECS) working with people with lived experience. This guidance was designed to support recruiting managers in the recruitment and retention of people with lived experience of the criminal justice system. The guidance covers all aspects of recruiting and retaining people with lived experience of the criminal justice system into roles and seeks to ensure that common barriers and challenges are addressed. In addition, the Commissioning for Workforce Development Project is under development and due to be published in December 2022. This project will design guidance which can be used to recruit a larger and more inclusive workforce for Health and Justice services including recruiting people with lived experience of the criminal justice system. The work involves seeking out best practice, barriers and potential solutions, as well developing templates for 'gold standard' commissioning tools practices (Future.nhs.uk. 2022).

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